

AMENDMENT OFFERED BY MR. PORTER
TO THE AMENDMENT IN THE NATURE OF A
SUBSTITUTE
TO H.R. 5293

Page 8, after line 7 insert the following (and make such technical and conforming changes as may be appropriate):

1 “(49) The term ‘elder justice’ means efforts to
2 prevent, detect, treat, intervene in, and respond to
3 elder abuse, neglect, and exploitation and to protect
4 elders with diminished capacity while maximizing
5 their autonomy.

6 “(50) The term ‘exploitation’ means the fraudu-
7 lent or otherwise illegal, unauthorized, or improper
8 act or process of an individual that uses the re-
9 sources of an older individual for monetary or per-
10 sonal benefit, profit, or gain, or that results in de-
11 priving an older individual of rightful access to, or
12 use of, benefits, resources, belongings, or assets.

13 “(51) The term ‘neglect’ means—

14 “(A) the failure of a caregiver or fiduciary
15 to provide goods or services that are necessary
16 to maintain the health or safety of an elder; or



1 “(B) self neglect.

2 “(52) The term ‘self-neglect’ means an adult’s
3 inability, due to physical or mental impairment or
4 diminished capacity, to perform essential self-care
5 tasks including—

6 “(A) obtaining essential food, clothing,
7 shelter, and medical care;

8 “(B) obtaining goods and services nec-
9 essary to maintain physical health, mental
10 health, or general safety; or

11 “(C) managing one’s own financial af-
12 fairs.”.

Page 8, before line 8 insert the following (and make
such technical and conforming changes as may be appro-
priate):

13 **SEC. 3. FUNCTIONS OF THE ASSISTANT SECRETARY.**

14 Section 201 of the Older Americans Act of 1965 (42
15 U.S.C. 3011) is amended by adding at the end the fol-
16 lowing:

17 “(e) ELDER ABUSE PREVENTION AND SERVICES.—

18 “(1) The Assistant Secretary may designate
19 within the Administration responsibility for elder
20 abuse prevention and services.

21 “(2) It shall be the duty of the assistant sec-
22 retary, acting through the person designated with



1 responsibility for elder abuse prevention and serv-
2 ices, to develop objectives, priorities, policy, and a
3 long-term plan for—

4 “(A) carrying out elder justice programs
5 and activities relating to—

6 “(i) elder abuse prevention, detection,
7 treatment, and intervention, and response;

8 “(ii) training of individuals regarding
9 the matters described in clause (i); and

10 “(iii) the improvement of the elder
11 justice system in the United States;

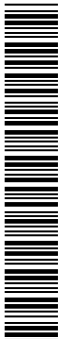
12 “(B) collecting and disseminating data re-
13 lating to the abuse, neglect, and exploitation of
14 older individuals;

15 “(C) disseminating information concerning
16 best practices regarding, and providing training
17 on, carrying out activities related to abuse, ne-
18 glect, and exploitation of older individuals;

19 “(D) conducting research related to abuse,
20 neglect, and exploitation of older individuals;

21 “(E) providing technical assistance to
22 States and other eligible entities under title
23 VII;

24 “(F) assisting States and other eligible en-
25 tities under Title VII to develop strategic plans



1 to better coordinate elder justice activities, re-
2 search, and training; and
3 “(G) promoting collaborative efforts and
4 diminishing duplicative efforts in the develop-
5 ment and carrying out of elder justice programs
6 at the Federal, State, and local levels.”.

